

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAYDELTA MARITIME INC.,

No. C-06-1114 MMC

Plaintiff,

v.

HAL ELTZROTH,

Defendant

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**ORDER DENYING WITHOUT  
PREJUDICE STIPULATION TO EXTEND  
DISCOVERY DEADLINE**

HAL ELTZROTH,

Counterclaimant

v.

BAYDELTA MARITIME, INC., et al.,

Counter-Defendants

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The Court is in receipt of the parties' stipulation, filed November 1, 2006, in which the parties jointly seek an order extending the December 1, 2006 non-expert discovery deadline to February 1, 2007.<sup>1</sup>

A pretrial order "shall not be modified except upon a showing of good cause." See Fed. R. Civ. P. 16(b). Here, the only cause identified by the parties is their unspecified

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<sup>1</sup>Although the stipulation states the parties have not completed discovery as to the Second Amended Counterclaim, the requested extension is not limited to discovery relevant only to that pleading.

1 difficulty in scheduling depositions of sailors. The parties do not indicate why an extension  
2 of two months is necessary to resolve any such problems. Of equal importance, the  
3 parties' stipulation does not address the matter of how the requested extension will impact  
4 the scheduled January 26, 2007 expert discovery cut-off and other pretrial dates.

5 Accordingly, the parties' stipulation is hereby DENIED, without prejudice.

6 **IT IS SO ORDERED.**

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8 Dated: November 3, 2006  
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MAXINE M. CHESNEY  
United States District Judge

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